

Tuesday, September 10, 1996

Daily Digest

HIGHLIGHTS

Senate passed Defense of Marriage Act.
Senate agreed to DOD Authorizations Conference Report.
House passed 6 bills under suspension of the rules.

Senate

Chamber Action

Routine Proceedings, pages S10099–S10243

Measures Introduced: Two bills were introduced, as follows: S. 2061–2062. **Page S10192**

Measure Passed:

Defense of Marriage Act: By 85 yeas to 14 nays (Vote No. 280), Senate passed H.R. 3396, to define and protect the institution of marriage, clearing the measure for the President. **Pages S10100–25, S10129**

Trade Relations: Committee on Finance was discharged from further consideration of S. 1918, to amend trade laws and related provisions to clarify the designation of normal trade relations, and the measure was then passed. **Pages S10239–40**

Montgomery VA Medical Center: Committee on Veterans Affairs was discharged from further consideration of S. 1669, to name the Department of Veterans Affairs medical center in Jackson, Mississippi, as the "G.V. (Sonny) Montgomery Department of Veterans Medical Center", and the bill was then passed. **Pages S10240–43**

Measure Rejected:

Employment Nondiscrimination Act: By 49 yeas to 50 nays (Vote No. 281), Senate rejected S. 2056, to prohibit employment discrimination on the basis of sexual orientation. **Pages S10129–39**

National Defense Authorization Act, 1997—Conference Report: By 73 yeas to 26 nays (Vote No. 279), Senate agreed to the conference report on H.R. 3230, to authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and to prescribe person-

nel strengths for such fiscal year for the Armed Forces, clearing the measure for the President.

Pages S10125–29

Treasury/Postal Service Appropriations, 1997: Senate began consideration of H.R. 3756, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1997, agreeing to committee amendments, with certain exceptions, and taking action on amendments proposed thereto, as follows: **Pages S10139–85, S10190**

Adopted:

Helms (for Thompson) Amendment No. 5208 (to committee amendment on page 2, line 18), to forbid any Member of the House of Representatives or the Senate from receiving a pay raise or cost of living adjustment in the fiscal year 1997. **Pages S10159–60**

Shelby Amendment No. 5209, to make a technical correction. **Page S10165**

Shelby Amendment No. 5210, of a technical nature. **Page S10165**

Shelby Amendment No. 5211, to correct a printing error. **Page S10165**

Shelby Amendment No. 5212, to strike Section 632. **Page S10165**

Shelby Amendment No. 5213, to strike Title VII. **Pages S10165–66**

Shelby Amendment No. 5214, to provide funding to the Postal Service for payments of workman's compensation claims. **Page S10166**

Shelby Amendment No. 5215, to further define actions the Internal Revenue Service is to take with regard to the information systems account. **Page S10166**

Shelby Amendment No. 5216, to provide for assistance to Special Agents of the Department of State's Diplomatic Security Service. **Page S10166**

Shelby Amendment No. 5217, to provide Federal Executive Boards ability to expend funds.

Pages S10166–67

Shelby Amendment No. 5218, to expand the flexibility available to the Office of Personnel Management in providing services to CSRS and FERS annuitants.

Page S10167

Shelby Amendment No. 5219, to provide authority to the General Services Administration to negotiate payment for housing the Federal Communications Commission in Washington, D.C.

Page S10167

Shelby Amendment No. 5220, of a technical nature.

Page S10167

Shelby Amendment No. 5221, to strike provisions requiring the Administrative Office of the Courts to do a space utilization study of courtroom space and utilization.

Page S10167

Shelby Amendment No. 5222, to allow agencies to advance employee FEHB premiums for employees on leave without pay.

Pages S10167–68

Shelby Amendment No. 5225, to extend the OMB's authority to streamline financial management authority under the GMRA pilot program.

Pages S10182–85

Shelby (for Stevens) Amendment No. 5226, to provide for a Government accounting of regulatory costs and benefits of major rules.

Pages S10182–85

Shelby (for Mikulski) Amendment No. 5227, to provide for the closing of an alley owned by the United States to allow construction of a facility for the United States Government in the District of Columbia.

Pages S10182–85

Shelby (for Mack/Graham) Amendment No. 5228, to transfer certain property to be used as an animal research facility.

Pages S10182–85

Shelby (for D'Amato) Amendment No. 5229, to prohibit the fraudulent production, sale, transportation, or possession of fictitious items purporting to be valid financial instruments of the United States, foreign governments, States, political subdivisions, or private organizations, and to increase the penalties for counterfeiting violations.

Pages S10182–85

Shelby (for Gregg) Amendment No. 5230, to prohibit distribution of federal employee personal information without consent of the individual.

Pages S10182–85

Shelby (for Kohl) Amendment No. 5231, to express the sense of Congress that the level of telephone assistance provided by the Internal Revenue Service to taxpayers should be increased.

Pages S10182–85

Shelby (for Kerrey) Amendment No. 5232, to prohibit the Internal Revenue Service from expending funds for the field office reorganization plan until the National Commission on Restructuring the

Internal Revenue Service has had an opportunity to issue their final report.

Pages S10182–85

Pending:

Wyden/Kennedy Amendment No. 5206 (to committee amendment beginning on page 16, line 16, through page 17, line 2), to prohibit the restriction of certain types of medical communications between a health care provider and a patient.

Pages S10161–65

Dorgan Amendment No. 5223 (to committee amendment beginning on page 16, line 16, through page 17, line 2), to amend the Internal Revenue Code of 1986 to end deferral for United States shareholders on income of controlled foreign corporations attributable to property imported into the United States.

Pages S10168–82, S10190

Senate will continue consideration of the bill on Wednesday, September 11, 1996.

Water Resources Development Act: Senate disagreed to the amendment of the House to S. 640, to provide for the conservation and development of water and related resources, and to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, requested a conference with the House thereon, and the Chair appointed the following conferees: Senators Chafee, Warner, Smith, Baucus, and Moy-nihan.

Pages S10208–39

Messages From the House:

Page S10191

Communications:

Pages S10191–92

Statements on Introduced Bills:

Pages S10192–S10201

Additional Cosponsors:

Page S10201

Amendments Submitted:

Pages S10201–04

Authority for Committees:

Page S10204

Additional Statements:

Pages S10204–08

Record Votes: Three record votes were taken today. (Total—281)

Pages S10129, S10139

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:21 p.m., until 11 a.m., on Wednesday, September 11, 1996. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10243.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—LABOR/HHS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education approved for full committee consideration, with amendments, H.R. 3755, making appropriations for

the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1997.

BUSINESS MEETING

Committee on Armed Services: Committee met to consider pending military nominations, but did not complete action thereon, and recessed subject to call.

FAIR HOUSING IMPLEMENTATION

Committee on Banking, Housing, and Urban Affairs: Subcommittee on HUD Oversight and Structure concluded oversight hearings on the implementation and enforcement of the Fair Housing Act (P.L. 100-430), after receiving testimony from Elizabeth K. Julian, Assistant Secretary of Housing and Urban Development for Fair Housing and Equal Opportunity.

AMTRAK PASSENGER SERVICE ROUTE CHANGES

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine concluded hearings to examine Amtrak's planned passenger service route restructuring and its impact on the continuity of the national rail passenger system, after receiving testimony from Senators Bumpers and Gramm; Representative Hutchinson; Thomas M. Downs, President and Chairman, National Railroad Passenger Corporation (Amtrak); Delaware Governor Thomas C. Carper, Wilmington; Mayor Celia Boswell, Mineola, Texas; Mayor Jim Dailey, Little Rock, Arkansas; Mayor Larry Griffith, Baker City, Oregon; Mayor Audrey Kariel, Marshall, Texas; Neal A. McCaleb, Oklahoma Department of Transportation, Oklahoma City; Richard Tankerson, VIA Transit, San Antonio, Texas; and Ross B. Capon, National Association of Railroad Passengers, Washington, D.C.

BOSNIA PEACE PROCESS

Committee on Foreign Relations: Committee held hearings to examine the status of United States policy toward Bosnia, implementation of the Dayton Peace Agreement and Operation Joint Endeavor, receiving testimony from John C. Kornblum, Principal Deputy Assistant Secretary, Bureau of European and Canadian Affairs, William Montgomery, Special Advisor to the President and Special Advisor to the Bosnian Peace Implementation, and James Pardew, Special Coordinator for Interagency Office on Arming and Training, all of the Department of State; Thomas K. Longstreth, Principal Deputy Assistant

Secretary of Defense for Strategy and Requirements and Director, DOD Bosnia Task Force; Dawn T. Calabia, United Nations High Commissioner for Refugees; Anthony Kozlowski, American Refugee Committee, Minneapolis, Minnesota; Diane Paul, Human Rights Watch/Helsinki, New York, New York; and Susan Woodward, Brookings Institution, and John Fox, Open Society Institute, both of Washington, D.C.

Hearings were recessed subject to call.

IRS MODERNIZATION

Committee on Governmental Affairs: Committee resumed hearings to examine the status of the modernization of the Internal Revenue Service tax information system, focusing on technical and management issues, receiving testimony from Gene L. Dodaro, Assistant Comptroller General, and Rona B. Stillman, Chief Scientist, Computers and Telecommunications, both of the Accounting and Information Management Division, and Lynda Willis, Associate Director for Tax Policy and Administration, all of the General Accounting Office; Michael Dolan, Deputy Commissioner, Arthur Gross, Chief Information Officer, and David Mader, Chief of Management and Administration, all of the Internal Revenue Service, Department of the Treasury; Robert P. Claggett, Chairman, Committee on Continued Review of the Tax Systems Modernization of the Internal Revenue Service, National Research Council; John Gioia, Robbins-Gioia, Alexandria, Virginia; and Robert M. Tobias, Bethesda, Maryland, and Steve Herrington, Columbus, Ohio, both on behalf of the National Treasury Employees Union.

Hearings were recessed subject to call.

CHEMICAL WEAPONS CONVENTION

Committee on the Judiciary: Subcommittee on Constitution, Federalism, and Property Rights concluded hearings to examine the constitutionality of the Convention on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, opened for signature and signed by the United States at Paris on January 13, 1993 (Treaty Doc. 103-21), after receiving testimony from Gilbert F. Decker, Assistant Secretary of the Army for Research, Development, and Acquisition; Richard Shiffron, Office of Legal Counsel, Department of Justice; John C. Yoo, University of California, Berkeley; Roger Pilon, Cato Institute, Washington, D.C.; and Barry Kellman, DePaul University College of Law, DePaul, Illinois.

House of Representatives

Chamber Action

Bills Introduced: 7 public bills, H.R. 4039–4045; and 2 resolutions, H.J. Res. 191, and H. Con. Res. 211, were introduced.

Page H10174

Reports Filed: Reports were filed as follows:

H.R. 3535, to redesignate a Federal building in Suitland, Maryland, as the "W. Edwards Deming Federal Building" (H. Rept. 104–780); and

H.R. 3576, to designate the United States courthouse located at 401 South Michigan Street in South Bend, Indiana, as the "Robert Kurtz Rodibaugh United States Courthouse", amended (H. Rept. 104–781).

Page H10174

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Bill Barrett from Nebraska to act as Speaker pro tempore for today.

Page H10113

Recess: The House recessed at 12:41 p.m. and reconvened at 2:00 p.m.

Page H10114

Inaugural Ceremonies: Pursuant to the provisions of S. Con. Res. 47, the Chair announced the Speaker's appointment of the following Members of the House to the Joint Congressional Committee on Inaugural Ceremonies: Representatives Gingrich, Armev, and Gephardt.

Page H10115

Corrections Calendar—County Health Organization Exemption Act: On the call of the Corrections Calendar, the House passed H.R. 3056, to permit a county-operated health insuring organization to qualify as an organization exempt from certain requirements otherwise applicable to health insuring organizations under the Medicaid program notwithstanding that the organization enrolls Medicaid beneficiaries residing in another county.

Pages H10115–18

Suspensions—Votes Postponed: The House completed all debate on motions to suspend the rules and pass the following measures on which recorded votes were postponed until Wednesday, September 11:

Monitoring the Student Right to Know and Campus Security Act: H. Res. 470, expressing the sense of the Congress that the Department of Education should play a more active role in monitoring and enforcing compliance with the provisions of the Higher Education Act of 1965 related to campus crime;

Pages H10118–20

Student Debt Reduction Act: H.R. 3863, amended, to amend the Higher Education Act of 1965 to

permit lenders under the unsubsidized Federal Family Education Loan program to pay origination fees on behalf of borrowers;

Pages H10120–23

FAA Authorization: H.R. 3539, amended, to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration; and

Pages H10124–40

Exports, Jobs, and Growth Act: H.R. 3759, amended, to extend the authority of the Overseas Private Investment Corporation.

Pages H10157–67

Suspensions: House voted to suspend the rules and pass the following measures:

Antarctic Environmental Protection Act: Agreed to the Senate amendment to H.R. 3060, to implement the Protocol on Environmental Protection to the Antarctic Treaty—clearing the measure for the President. Subsequently, the House agreed to H. Con. Res. 211, directing the Clerk of the House of Representatives to make a technical correction in the enrollment of H.R. 3060;

Pages H10140–44

California Indian Land Transfer Act: H.R. 3642, to provide for the transfer of public lands to certain California Indian Tribes;

Pages H10144–45

Torres-Martinez Desert Cahuilla Indians Claims Settlement Act: H.R. 3640, amended, to provide for the settlement of issues and claims related to the trust lands of the Torres-Martinez Desert Cahuilla Indians;

Pages H10145–53

Hoopa Valley Reservation Boundary Correction: H.R. 2710, amended, to provide for the conveyance of certain land in the State of California to the Hoopa Valley Tribe;

Pages H10153–54

Crow Creek Sioux Tribe Trust Fund: H.R. 2512, amended, to provide for certain benefits of the Missouri River basin Pick-Sloan project to the Crow Creek Sioux Tribe. Agreed to amend the title; and

Pages H10154–56

Emergency Drought Relief: H.R. 3910, amended, to provide emergency drought relief to the city of Corpus Christi, Texas, and the Canadian River Municipal Water Authority, Texas.

Pages H10156–57

Referrals: One Senate-passed measure was referred to the appropriate House committee.

Page H10169

Senate Messages: Message received from the Senate today appears on page H10113.

Quorum Calls—Votes: No recorded votes or quorum calls developed during the proceedings of the House today.

Adjournment: Met at 12:30 p.m. and adjourned at 5:56 p.m.

WHITE HOUSE DATA BASE

Committee on Government Reform and Oversight: Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs held a hearing on White House Data Base. Testimony was heard from the following officials of the GAO: Jack Brock, Director, Information Management Issues; Keith Rhodes, Technical Assistant Director, Office of the Chief Scientist; and Ron Hess, Information Systems Analyst; and public witnesses.

NATURALIZATION TESTING FRAUD

Committee on Government Reform and Oversight: Subcommittee on National Security, International Relations, and Criminal Justice held a hearing on naturalization testing fraud. Testimony was heard from the following officials of the Immigration and Naturalization Service, Department of Justice: Alexander Aleinikoff, Executive Associate Commissioner, Programs; and Louis D. Crocetti, Associate Commissioner, Examinations; and public witnesses.

MISSING PERSONS ACT REVISIONS

Committee on National Security: Subcommittee on Military Personnel held a hearing on revisions to the Missing Persons Act. Testimony was heard from Representatives Sam Johnson of Texas, Gilman and Packard; and public witnesses.

SOLVING YEAR 2000 SOFTWARE PROBLEM

Committee on Science: Subcommittee on Technology and the Subcommittee on Government Management, Information and Technology of the Committee on Government Reform and Oversight held a joint hearing on Solving the Year 2000 Software Problem. Testimony was heard from Sally Katzen, Administrator, Information and Regulatory Affairs, OMB; Larry Olson, Deputy Secretary, Information Technology, State of Pennsylvania; and public witnesses.

Joint Meetings

APPROPRIATIONS—DEFENSE

Conferees met in closed session to resolve the differences between the Senate- and House-passed versions of H.R. 3610, making appropriations for the Department of Defense for the fiscal year ending September 30, 1997, but did not complete action thereon, and recessed subject to call.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D878)

H.R. 3845, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1997. Signed September 9, 1996. (P.L. 104-194)

COMMITTEE MEETINGS FOR WEDNESDAY, SEPTEMBER 11, 1996

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Environment and Public Works, Subcommittee on Transportation and Infrastructure, to hold hearings on the implementation of the Intermodal Surface Transportation Efficiency Act, focusing on the role of Federal, State, and local governments in surface transportation, 9:30 a.m., SD-406.

Committee on Foreign Relations, Subcommittee on International Operations, to hold hearings to examine United Nations reform, 2 p.m., SD-419.

Committee on the Judiciary, to hold hearings to examine mergers and competition in the telecommunications industry, 2 p.m., SD-226.

Select Committee on Intelligence, closed business meeting, to consider pending committee business, 11 a.m., SH-219.

House

Committee on Banking and Financial Services, Subcommittee on Domestic and International Monetary Policy, hearing and markup of the following bills: H.R. 2026, George Washington Commemorative Coin Act of 1995; H.R. 1684, James Madison Commemorative Coin Act; and H.R. 1776, Black Revolutionary War Patriots Commemorative Coin Act, 1 p.m., 2128 Rayburn.

Committee on Economic and Educational Opportunities, Subcommittee on Oversight and Investigations, hearing on the Financial Status of the Corporation for National Service, 1 p.m., 2175 Rayburn.

Committee on Government Reform and Oversight, Subcommittee on Civil Service, hearing on Taxpayer Subsidy of Federal Unions, 11:00 a.m., 2154 Rayburn.

Subcommittee on National Security, International Affairs, and Criminal Justice, hearing on oversight of NASA's infrastructure downsizing efforts, 11 a.m., 2247 Rayburn.

Committee on International Relations, hearing on Overall U.S. Counter-Narcotics Policy Toward Colombia, 11 a.m., 2172 Rayburn.

Subcommittee on Africa, hearing on Nigerian white collar crime, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, to continue markup of H.R. 3565, Violent Youth Crime Act of 1996; and to markup the following bills: H.R. 3723, Economic Espionage Act of 1996; S. 1507, Parole Commission Phaseout Act of 1995; H.R. 3676, Carjacking Correction Act of 1996;

H.R. 3852, Comprehensive Methamphetamine Control Act of 1996; H.R. 2092, Private Security Officer Quality Assurance Act of 1995; H.R. 3874, Civil Rights Commission Act of 1996; H.R. 3968, Federal Courts Improvement Act of 1996; S. 533, to clarify the rules governing removal of cases to Federal court; and S. 677, to repeal a redundant venue provision, 12 p.m., 2141 Rayburn.

Committee on National Security, Subcommittee on Military Personnel, hearing on Medicare subvention, 1 p.m., 2118 Rayburn.

Committee on Science, to markup H.R. 3936, Space Commercialization Promotion Act of 1996, 12 p.m., 2318 Rayburn.

Committee on Standards of Official Conduct, executive, to consider pending business, 1:30 p.m., HT-2M Capitol.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, to markup H.R. 3923, Aviation Disaster Family Assistance Act of 1996, 1 p.m., 2167 Rayburn.

Subcommittee on Aviation, hearing on aviation security and antiterrorism, 2 p.m., B-318 Rayburn.

Subcommittee on Public Buildings and Economic Development, hearing on H.R. 3933, to authorize the construction of the Smithsonian Air and Space Annex at Dulles Airport, 3 p.m. 2253 Rayburn.

Subcommittee on Water Resources and Environment, hearing on H.R. 3348, Snow Removal Policy Act, 8:30 a.m., 2167 Rayburn.

Committee on Ways and Means, to markup the Social Security Miscellaneous Amendments Act of 1996, 11 a.m., H-208 Capitol.

Subcommittee on Trade, hearing on the World Trade Organization (WTO) Singapore ministerial meeting, 2 p.m., 1100 Longworth.

Joint Meetings

Conferees, on H.R. 3816, making appropriations for energy and water development for the fiscal year ending September 30, 1997, 2 p.m., S-5, Capitol.

Next Meeting of the SENATE

11 a.m., Wednesday, September 11

Senate Chamber

Program for Wednesday: Senate will resume consideration of H.R. 3756, Treasury/Postal Service Appropriations.

(Senate will meet in a joint meeting with the House of Representatives at 10 a.m., to receive His Excellency John Bruton, Prime Minister of Ireland.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Wednesday, September 11

House Chamber

Program for Wednesday: Joint Meeting to receive His Excellency, John Bruton, Prime Minister of Ireland;

Consideration of motions to go to conference on H.R. 3666, VA/HUD Appropriations for FY 1997 and H.R. 2202, Immigration and the National Interest; and

Recorded votes ordered on Suspensions debated on Tuesday: H. Res. 470, Monitoring of Student Right to Know and Campus Security Act; H.R. 3863, Student Debt Reduction Act; H.R. 3539, FAA Authorization Act; and H.R. 3759, Exports, Jobs, and Growth Act.

Votes are expected after 12 noon.

Extensions of Remarks, as inserted in this issue

HOUSE

Barcia, James A., Mich., E1553
Bentsen, Ken, Tex., E1548
Bereuter, Doug, Nebr., E1555
Bonior, David E., Mich., E1545, E1547, E1549
Burton, Dan, Ind., E1552
Cunningham, Randy "Duke", Calif., E1545

Dornan, Robert K., Calif., E1553
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